

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

Claims 1, 3-5, and 7-14 are pending in the present application. Claims 1, 3, 5, 7, and 9-11 are amended. Claims 9-10 and 12 are withdrawn. Claims 2, 6, and 15-23 are canceled without prejudice or disclaimer. Support for the amendment to Claim 1 can be found in now-canceled Claims 2 and 6, for example. Support for the amendments to Claims 3, 5, 7, and 9-11 is self-evident. Thus, no new matter is added.

The outstanding Office Action objected to the Abstract for informalities; rejected Claims 1-2, 5-8, 11, and 20 under 35 U.S.C. § 102(b) as anticipated by Becker (U.S. Patent No. 2,632,355); rejected Claims 1-5 under 35 U.S.C. § 102(b) as anticipated by Brush (U.S. Patent No. 2,448,351); rejected Claims 1-2 and 13-14 under 35 U.S.C. § 102(b) as anticipated by JP 51-163366; and rejected Claims 21-22 under 35 U.S.C. § 103(a) as unpatentable over Becker.

In response to the objection to the Abstract for informalities, the Abstract is amended to correct the noted informalities. Accordingly, Applicants respectfully request the objection to the Abstract to be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-2, 5-8, 11, and 20 under 35 U.S.C. § 102(b) as anticipated by Becker.

Amended independent Claim 1 recites that the first member is formed with a tubular projecting portion which raises from one surface of the first member toward the second member and inwardly defines a hollow portion. The tubular projecting portion is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion. The hollow portion defined by the tubular projecting portion is a hollow portion whose both ends are open, penetrating the first member

in its through thickness direction. A base end portion of the tubular projecting portion of the first member is formed with a recess portion for controlling an increase of torque required for screwing the fastening member.

Turning now to the cited art, Becker describes a flanged nut (10). The flanged nut (10) includes a internally threaded shank (12) and a flange (14) disposed about the shank at one end thereof.¹ The shank (12) is adapted for assembly in an opening (16) in a supporting panel (18), for engagement with a threaded bolt (20).² The outstanding Office Action asserts that the flanged nut (10) is a first member, a supporting panel (18) is a second member, and that the external surface of the shank (12) is a tubular projecting portion.³ However, Becker fails to disclose or suggest all of the features recited in amended independent Claim 1. In particular, Becker fails to disclose or suggest a tubular projecting portion that is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion. Instead, Becker describes that the deformable portion of the flange (28) is pulled downwardly as the shank (12) is pulled into the opening (16).⁴

In contrast, amended independent Claim 1 recites a tubular projecting portion that is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion. In other words, the outer circumference wall of the tubular projecting portion is pushed onto the peripheral wall of the hole by the radially expanded tubular projecting portion.⁵

Accordingly, Applicants respectfully submit that amended independent Claim 1, and claims depending therefrom, patenting define over Becker. Therefore, Applicants

¹ See Becker at column 2, lines 31-34.

² See Becker at column 2, lines 34-37.

³ See outstanding Office Action at page 3.

⁴ See Becker at column 3, lines 26-31

⁵ See specification at page 18, lines 19-23.

respectfully request the rejection of Claims 1-2, 5-8, 11, and 20 under 35 U.S.C. § 102(b) be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claims 1-5 under 35 U.S.C. § 102(b) as anticipated by Brush.

As discussed above, amended independent Claim 1 recites that the first member is formed with a tubular projecting portion which raises from one surface of the first member toward the second member and inwardly defines a hollow portion. The tubular projecting portion is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion. The hollow portion defined by the tubular projecting portion is a hollow portion whose both ends are open, penetrating the first member in its through thickness direction. A base end portion of the tubular projecting portion of the first member is formed with a recess portion for controlling an increase of torque required for screwing the fastening member.

Turning now to the cited art, Brush describes a tubular stud (7) and a screw (19) which fasten panels (20, 21). The outstanding Office Action asserts that the tubular stud (7) is a first member and that the taper (14) is a tubular projecting portion.⁶ However, Brush fails to describe all of the features recited in amended independent Claim 1. In particular, Brush fails to disclose or suggest a base end portion of the taper (14) that is formed with a recessed portion for controlling an increase of torque required for screwing the fastening member.

Accordingly, Applicants respectfully submit that amended independent Claim 1, and claims depending therefrom, patentably define over Brush. Therefore, Applicants respectfully request the rejection of Claims 1-5 under 35 U.S.C. § 102(b) be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claims 1-2 and 13-14 under 35 U.S.C. § 102(b) as anticipated by JP 51-163366.

⁶ See outstanding Office Action at page 6.

As discussed above, amended independent Claim 1 recites that the first member is formed with a tubular projecting portion which raises from one surface of the first member toward the second member and inwardly defines a hollow portion. The tubular projecting portion is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion. The hollow portion defined by the tubular projecting portion is a hollow portion whose both ends are open, penetrating the first member in its through thickness direction. A base end portion of the tubular projecting portion of the first member is formed with a recess portion for controlling an increase of torque required for screwing the fastening member.

Turning now to the cited art, JP 51-163366 describes a structure that combines two plated numbers (11, 12) by a projecting rib (12a) provided on one of the two plated members (11, 12) and a screw (13) screwed in the projecting rib (12a). The outstanding Office Action asserts that the member (12) is a first member and the projecting rib (12a) is a tubular projecting portion.⁷ However, JP 51-163366 fails to describe all of the features recited in amended independent Claim 1. In particular, JP 51-163366 fails to disclose or suggest a base end portion of the projecting rib (12a) that is formed with a recessed portion for controlling an increase of torque required for screwing a fastening member and that the projecting rib (12a) is formed with a radially expanded portion by expanding the tubular projecting portion radially and outwardly by screwing the threaded portion.

Accordingly, Applicants respectfully submit that amended independent Claim 1, and claims depending therefrom, patentably define over JP 51-163366. Therefore, Applicants respectfully request the rejection of Claims 1-2 and 13-14 under 35 U.S.C. § 102(b) be withdrawn.

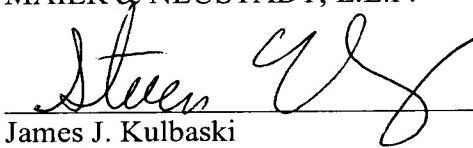
⁷ See outstanding Office Action at page 7.

As Claims 21-22 are canceled without prejudice or disclaimer, the rejection of Claims 21-22 under 35 U.S.C. § 103(a) as unpatentable over Becker is rendered moot.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)

Steven B. Chang
Registration No. 59,423